

AF/2875
Zhu

PATENT

THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTOR(S) : SOMMERS et al.
TITLE : **OPTICAL WAVE GUIDE**
APPLICATION NO. : 09/682,516
FILED : September 13, 2001
CONFIRMATION NO. : 2609
EXAMINER : SAWHNEY, Hargobind
ART UNIT : 2875
LAST OFFICE ACTION : November 30, 2004
ATTORNEY DOCKET NO. : **GLOZ 200078**

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Applicant hereby appeals to the Board from a decision of the primary Examiner mailed **November 30, 2004** finally rejecting claims 1-9, 12-14 and 16-19.

The items checked below are appropriate:

1. **STATUS OF APPLICANT**

☒ This application is on behalf of other than a small entity.

2. **FEE FOR FILING NOTICE OF APPEAL**

Pursuant to 37 C.F.R. 1.17(b) the fee for filing the Notice of Appeal is:

☒ other than a small entity \$500.00

3. **EXTENSION OF TERM**

☐ Applicant(s) hereby petitions the Commissioner under 37 C.F.R. §1.136(a)

for a _____-month extension of time up to and including _____ in which to file the
accompanying Notice of Appeal. The check in the amount of \$ _____ for the extension

fee is enclosed herewith. Applicant(s) request any additional extensions of time that may be necessary and authorize the extension of time fees or any deficiency in fees herewith to be charged to Deposit Account No. 06-0308.

4. TOTAL FEES DUE

The total fee due is:

Notice of Appeal Fee: \$500.00

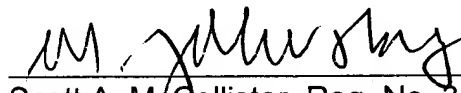
Extension of Time Fee: \$.00

5. FEE PAYMENT

Attached is a check in the amount of \$500.00. If any additional extension and/or fees are required, the Commissioner is hereby authorized to charge Deposit Account No. 06-0308.

Respectfully submitted,

FAY, SHARPE, FAGAN,
MINNICH & MCKEE LLP




Scott A. McCollister, Reg. No. 33,961
Marina V. Zalevsky, Reg. No. 53,825
1100 Superior Avenue, Seventh Floor
Cleveland, Ohio 44114-2579
(216) 861-5582

CERTIFICATE OF MAILING

I certify that this Notice Of Appeal From The Primary Examiner To The Board Of Patent Appeals And Interferences is being

- ☒ deposited with the United States Postal Service as First Class mail under 37 C.F.R. § 1.8, addressed to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.
- ☐ transmitted via facsimile under 37 C.F.R. § 1.8 on the date indicated below.
- ☐ deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated below and is addressed to: Mail Stop AF, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

| |
|-------------------------|
| Express Mail Label No.: |
| Date |
| February 28, 2005 |

| |
|--------------------------------------------------------------------------------------|
| Signature |
|  |
| Printed Name |
| Kara L. Krist |